

CALIFORNIA COMMISSION ON DISABILITY ACCESS FULL COMMISSION MEETING MINUTES

August 20, 2012

1. CALL TO ORDER

Chair Burks called the meeting to order at 10:00 a.m. at The California Endowment, The Center for Healthy Communities, 1000 North Alameda Street, Los Angeles, California 90012.

ROLL CALL

Staff Member Jemmott called the roll.

Commissioners Present:

Rocky Burks, Chair
Michael Dean, Vice Chair
Scott Hauge
Margaret Jakobson-Johnson
Mark Martinez
Lillibeth Navarro
Anthony Seferian
Chester Widom
Betty Wilson

Commissioners Absent:

Tom Ammiano
Connie Conway
Ellen Corbett
Thomas Harman

Staff Present:

Angela Jemmott, Program Analyst
Lavonia Wade, Office Administrator

Also Present:

Phyllis Chang, Department of Fair Employment and Housing
Lawrence Ira Fusco, When You Dream a Dream Corporation
Diane Gonzalez, Los Angeles FBI Citizens' Academy
Art Lurvey, M.D., Medicare California, Nevada, Hawaii, and Samoa
Janet Neal, Los Angeles County Commission on Disabilities

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Sam Overton, City of Los Angeles Commission on
Disability
Donald Parks, Applied Technology, Incorporated
Richard Ray, City of Los Angeles Department on
Disability
Avis Ridley-Thomas
John Riley, Drug Enforcement Administration of the
Los Angeles FBI Citizens' Academy
Alexia Teran, Los Angeles County Commission on
Disabilities
Frank Velasco, Ph.D.
John Villar de Longoria, Disability Rights Center
David Wolf, City of Los Angeles Commission on
Disability

Staff Member Jemmott announced a quorum was present.

PLEDGE OF ALLEGIANCE

Chair Burks led the Commission in the Pledge of Allegiance.

2. COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THIS AGENDA

Avis Ridley-Thomas stated disability access is inadequately addressed in probation camps and juvenile halls. She encouraged Commissioners to visit juvenile facilities to assess this need, as she has done with Commissioner Wilson. She also thanked the Commission for meeting in Los Angeles and stressed the importance of meeting in areas throughout the state to give members of the public an opportunity to participate and express their concerns about the disability community and access.

Art Lurvey, M.D., the Contractor Medical Director for Medicare California, Nevada, Hawaii, and Samoa, stated he is available to answer any questions and to assist the disability community in any way he can.

Diane Gonzalez, the Community Outreach Specialist of the Los Angeles FBI Citizens' Academy, stated her concerns about human trafficking within the disability community.

John Riley, the President of the Drug Enforcement Administration of the Los Angeles FBI Citizens' Academy, agreed that the disability community is a main target in human trafficking. This is a worldwide problem but is also prevalent in the Los Angeles area, where disabled victims are considered an easy target and are kept in line through the use of drugs.

Alexia Teran, of the Los Angeles County Commission on Disabilities, encouraged Commissioners to regularly attend Commission meetings so the Commission can accomplish its goals. She suggested holding trainings on ethics and communication,

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and well-advertised meetings in various locations throughout the state to encourage more public and stakeholder participation.

John Villar de Longoria, with the Disability Rights Center, commended advocates on this Commission, such as Commissioner Wilson and Commissioner Navarro. He agreed that the public sector falls short in terms of ensuring accessibility in a number of areas. Los Angeles is one of the entertainment capitals of the world, yet many of those facilities remain inaccessible to people with disabilities. He applauded the work this Commission has accomplished despite the challenges in addressing these issues on a statewide level. He offered the Disability Rights Center as a resource in gathering information.

Richard Ray, the ADA Compliance Coordinator of the City of Los Angeles Department on Disability (DOD), stated his concerns regarding mass notification and inadequate warning information in captioning. While the Federal Communication Advisory Committee (FCC) is addressing this issue along with homeland security, he encouraged this Commission to support and push for full access to accurate emergency information. Mr. Ray also addressed the issue of accessibility to emergency services. TTY is almost obsolete, as most people use Smart Phones as a primary mode of communication; however, the small number of TTY users cannot be ignored. There is no current access to the 911 emergency services, but Mr. Ray is involved with the FCC and the Emergency Access Advisory Committee in setting up a commission to address these issues. He asked for this Commission to lend its support to the State of California Chief Information Officers and the FCC as they move forward to providing direct access to 911 text messaging.

David Wolf, Vice President of the City of Los Angeles Commission on Disability, commended Commissioners Navarro and Wilson as two of the strongest fighters for disability in the City of Los Angeles. He encouraged the Commissioners to work together to solve problems and offered his assistance as the work continues.

Lawrence Ira Fusco, the President of When You Dream a Dream Corporation, a nonprofit entertainment organization for children with disabilities. He stressed the importance of recreation therapy, which is so often neglected. He asked how organizations like his can be involved in the work of this Commission. Chair Burks stated this is an important dialogue to continue in the future.

Frank Velasco, Ph.D., stated he is in attendance today at the request of Commissioners Navarro and Wilson. He was district administrator with the Department of Rehabilitation for thirty-eight years, which makes him the longest tenured district administrator in the history of the DOR. During that tenure, Dr. Velasco's district was one of the top three districts in the state in terms of providing effective services to people with disabilities. Commissioner Wilson asked him to comment on this and on how the standardization of the variety of statewide services to people with disabilities occurs.

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Dr. Velasco stated the goal of procuring employment for disabled clients needs to be foremost, even when the state of the economy impacts the number of people that can be served. He felt this consistency is lacking. Continuing the research of what is best for the client furthers the goal of serving the people. He advised the Commission to develop a system that will address the needs of as many people with disabilities as possible and help them achieve their goals. He also suggested gathering feedback on the organizational structure of the DOR's new pilot program.

Dr. Velasco's district was one of the most diverse in the State of California, yet this district achieved standardization by discussing what could be done together to be more effective overall. Deputy directors' effectiveness in working with district administrators maximizes what they can do in light of the common goals; this Commission can help the DOR by looking at what it is doing, how it provides standardization, and what deputy directors are doing to assist each district.

3. GUEST SPEAKER – JANET NEAL, VICE PRESIDENT, LOS ANGELES COUNTY COMMISSION ON DISABILITY

Janet Neal, the Vice President of the Los Angeles County Commission on Disabilities, stated she hosts two radio shows and offered to help promote this Commission. She listed several areas of concern brought to her attention by her listeners:

- Gasoline refueling needs to be uniformly enforced throughout the state.
- Paratransit needs to be more reliable and to not jeopardize clients' eligibility when complaints are submitted.
- Taxi coupons need to be available throughout the state.
- Handicapped parking spaces need uniform standards for parking enforcement.
- Television/Internet captioning needs a universal standard so that, in case of an emergency, people will get the proper information.
- Health care needs advocates to assist the disabled community.
- Gyms and health clubs need disability oversight for individuals who wish to undertake their own physical therapy so memberships are not revoked for submitting requests for access.
- Courthouses need to allow the use of medically-prescribed wheelchairs and assisted listening devices for use within the courthouse.
- Regional centers and independent living centers need to be set up in the inner city. Regional centers care for people with developmental disabilities as long as they are diagnosed by a certain age. If a disability was not indexed, Medicare and services from the regional center are denied. This needs to be addressed.
- Legal services for the disabled need to be improved.

Commissioner Questions and Discussion

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Commissioner Wilson asked Dr. Lurvey to respond to the Medicare issues Ms. Neal described in her presentation. Dr. Lurvey stated people with disabilities are eligible for the Medicare program regardless of age. Enrollment is available through the Social Security office. For the most part, patients with disabilities will get Medicare.

Chair Burks stated there are two statewide organizations for regional centers and a state independent living council that formulate how the geographic area of influence is coordinated with the Rehabilitation Services Administration and the California Department of Rehabilitation. This Commission is addressing several parallel areas in compliance efforts for public facilities. There are actions this Commission can take in the future to address the concerns in the health care facilities, health clubs, and courthouses, as those facilities provide very important services for health, welfare, and legal intervention on behalf of people with disabilities. This Commission looks forward to developing an ongoing dialogue with the Los Angeles County Commission on Disabilities.

Commissioner Wilson stated the City of Los Angeles found there are no reliable statistics or data on the number of individuals with disabilities involved in trafficking because that information was not included in the report. Consequently, the collective federal, state, county, and city law enforcement efforts have not increased. She recommended as an individual, not as a Commissioner, that someone look into the issue of documenting those numbers at the state and local levels.

4. GENERAL BUSINESS ITEMS

a. Review/Approval of Meeting Minutes (April 26, 2012) – Action

Chair Burks recommended the agenda title for Item 3c be amended from "The Executive Director Evaluation Committee will discuss and present recommendations" to "The Executive Director Evaluation Committee discussed recommendations."

MOTION: Commissioner Widom moved to approve the April 26, 2012, Meeting Minutes as amended. Commissioner Navarro seconded. Motion carried unanimously.

b. Commissioner Oaths

Commissioner Seferian initiated the oath for the Commissioners.

c. Executive Director Selection – Update

Commissioner Jakobson-Johnson stated she and Vice Chair Dean have identified five applicants for further consideration for the executive director position. Chair Burks added Commissioners are welcome to participate in the interviews. Due to budgetary constraints, Commissioners in Southern California who wish to participate may do so via teleconference.

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Commissioner Jakobson-Johnson stated, since interviews and selection will be held in a closed session, only one location will need to be noticed. She suggested that staff send out some possible dates in early September to Commissioners and the HR representative.

Commissioner Widom requested the possible dates be Tuesdays through Thursdays, as that is when he is in Sacramento. He suggested using an Internet program called Doodle, which will allow Commissioners to mark their availability quickly.

Action Item:

- Staff is to send out some possible early September, Tuesday through Thursday interview dates to Commissioners and the HR representative using Doodle.

d. Status of Commissioner Appointments

Chair Burks stated Commissioners Luehrs and Pomerantz are unfortunately no longer on the Commission. Under Government Code requirements, there is a sixty-day window after a Commissioner's term lapses to receive a continuing appointment. While the Commissioners' applications were received by the Governor's Office within that grace period, there was no determination within the grace period for reappointment. Therefore, their reappointments cannot occur until January 1, 2013. The Governor's Office apologizes for the delay in appointments to the Commission.

Chair Burks urged Commissioners whose appointments expire on January 1, 2013, to get their applications in no later than the end of September in order to be considered for reappointment. As instructed by the appointment secretary, Commissioners are to inform Chair Burks when they submit their application; then, he is to call the appointment secretary in order to ensure the prompt handling of any future reappointments.

In response to Commissioner Navarro's question, Chair Burks stated he has the authority, based upon the Bylaws, to appoint Commissioners Luehrs and Pomerantz to Committees, which may happen in the future.

In answer to Commissioner Wilson's question, Chair Burks stated the application for reappointment should be addressed to the appointment secretary, Teri Holloman.

Commissioner Navarro recommended the Commission send thank-you letters to Commissioners Luehrs and Pomerantz for their service.

Action Items:

- Staff is to send the name and address of the appointment secretary to the four Commissioners whose appointments will be expiring January 1, 2013.

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- Chair Burks is to send letters to Commissioners Luehrs and Pomerantz from the Commission thanking them for their service.

e. CCDA Website Updates – Presentation

Staff Member Jemmott stated the entire website has been updated to a more user-friendly, functional format. The new logo has been added to the top of all pages. Based upon the input of the Executive Committee, a Featured Links section was added to the left side of the Home Page, consisting of state agencies, local agencies, and related professional organizations and associations. She asked the Los Angeles area Commissions to submit their contact information to be included in this section. The Featured Links section will continually be updated.

In the middle of the Home Page is the CCDA's Mission Statement and a What's New section, which will be updated at the Commission's direction. Chair Burks added that there is a date stamp in the lower left corner of every page to signify when each page was last updated.

Chair Burks encouraged Commissioners and members of the public to review the website and give feedback on ways to improve it.

Commissioner Navarro asked if the DSA public meetings will be put on the CCDA website. Chair Burks stated those meetings can be noted in the What's New section with a direct link to the DSA website.

Public Comment

Phyllis Chang, the Director of the Department of Fair Employment and Housing (DFEH), recommended including civil rights and disability acts other than the one that created this body, such as the Fair Employment and Housing Act and the Disabled Persons Act, under the Law Tab. She also recommended listing the DFEH, which is the civil rights agency enforcing these laws for anyone who violates the disability rights provision, under the Related Governmental Agencies and State Agencies Tabs. She recommended the Fair Employment and Housing Commission website, which contains information on the law and regulations, and stated the DFEH has webinars twice a month free of charge to governmental agencies, many Youtube videos, and two Facebook pages.

Donald Parks, from Applied Technology, Incorporated, suggested adding Section 508 of the Federal Rehabilitation Act, which deals with information, technology, and accessibility, to the website. Chair Burks acknowledged the materials submitted by Mr. Parks are currently under review and stated that information will be cross-referenced in terms of the Rehabilitation Act references as well as the State Statute references for electronic data accessibility.

Action Item:

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- Staff is to coordinate with the DSA and the CBSC regarding adding their public hearing information to the CCDA website in the What's New section.

f. Location of December 2012, Full Commission Meeting

It was the consensus of the Commission that the December 20, 2012, full Commission meeting be held in Sacramento from 10:00 a.m. to 4:00 p.m., and that it utilize teleconferencing at a cost of approximately \$8,000, instead of webcasting at a cost of approximately \$22,000.

Action Item:

- Staff is to put the December meeting information, including that it will be teleconferenced, on the website.

g. Report to the Legislature

Chair Burks asked this Commission for concurrence that a final draft of the report to the Legislature be submitted at the December full Commission meeting. Part of the report to the Legislature will include information contained in Attorney General Van de Kamp's report from decades past and the parallel successes and challenges this Commission experiences today.

Commissioner Jakobson-Johnson stated Senate Bill (SB) 1186 proposes some changes to the Commission's deliverables. There will still be a report on the previous deliverables; she suggested this report include an update on what this Commission did with those deliverables.

Chair Burks stated many of the elements in SB 1186 are the direct outcome of issues brought up because of this Commission's existence. If the Commission is in concurrence, one of the tasks assigned to the new executive director will be to draft a report of this Commission's accomplishments to be delivered to the State Legislature at the first of the year.

Commissioner Jakobson-Johnson recommended that the report include all past deliverables regardless of the Commission's progress toward them, though she believed something was accomplished with all of them.

h. Status of Budget Change Proposal for FY 2012-2013 – Discussion

Staff Member Jemmott stated the Department of Finance (DOF) instructed this Commission to complete a space assessment, and then rejected its request for that assessment. The DOF also asked to be provided with information regarding the Budget Change Proposal, and then directed the Commission not to submit a BCP. The DOF is now holding the Commission accountable for not utilizing its budget appropriately, even though the Commission has taken appropriate action only to be denied by the DOF.

Chair Burks added that this Commission has never had a formal assessment of its housing needs. The current space has given rise to some inappropriate

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affiliations and confidentiality issues; however, the Commission cannot find another space as long as the DOF denies the request for assessment. The Commission is statutorily independent, but is working around a situation which may limit its autonomy.

Public Comment

In answer to Commissioner Teran's questions, Chair Burks stated the \$407,000 budget comes out of the General Fund for operational expenditures, housing, utilities, insurance, staffing, and Commission and Committee meetings. Commissioners all volunteer, except for the ex-officio representatives and three staff members who are state employees. The Commission meets four times a year and has a Committee structure that has been put on hold due to circumstances surrounding the budget. The \$407,000 is intended for one fiscal year: July 1st through June 30th. Commissioner Teran stated the budget seems high for the number of staff and meetings. Chair Burks explained there are several MOUs for services contracted out, such as human resources, accounting, and rent. He stated the budget will be covered in an agenda item this afternoon.

5. GUEST SPEAKER – CHESTER "CHET" WIDOM, STATE ARCHITECT

Commissioner Widom stated the Division of the State Architect (DSA) has three hundred employees and five offices across the state: Los Angeles, San Diego, Oakland, and both regional and headquarters offices in Sacramento. The regional offices are responsible for the certification of the safety and accessibility for all public schools across the state as well as public buildings for access. In addition, the DSA is responsible for developing the Access Codes for the State of California for all publicly-funded state and local government facilities, as well as privately-funded public accommodations and commercial facilities. The DSA also enforces those Codes for the state-owned facilities for K-12 public schools, community colleges, Cal State University, and the U.C. system for Access Codes only.

On September 15, 2010, the U.S. Justice Department published the 2010 ADA standards, which became mandatory on March 15, 2012. They denote the minimum level of accessibility, but California has historically enhanced the ADA requirements. In fact, long before the ADA Title 24, California set the standards for accessibility. When Commissioner Widom became the State Architect, he was tasked to write the new model Code for 2013 for accessibility.

The Task

The DSA has a triennial system in California, wherein the Codes are rewritten every three years. It became obvious that the Codes needed to be aligned with the new ADA Code. In order to accomplish this task, Commissioner Widom had three options for writing the new California Code that will go into effect in about a year:

- To continue with the California Building Code Chapter 11, the way it has always been

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- To use the International Code or the American National Standards Institute (ANSI) Code on Chapter 11 as the format
- To use the ADA standards as the format

Commissioner Widom sent over 400 letters to individuals and organizations requesting the community's preferred format. In answer to Commissioner Hauge's question, Commissioner Widom stated the letters were sent to the accessibility, design and construction communities, and to chambers of commerce. The results:

- 14% preferred to continue using the California Building Code as the standard
- 21% preferred to use the International Code or ANSI
- 65% preferred to use the ADA standards as the model

Commissioner Widom determined to use the ADA standards as the model to bring clarity to the Codes. Currently, there are two separate Codes conflicting in various areas and there is no sense of security in determining the appropriate response to the various Codes.

Once Commissioner Widom decided to use the ADA standards as the model, he brought in a consultant to take the existing California Code and the ADA and do a line-by-line breakdown of all of the elements within both Codes. The consultant listed 2,500 single line items. A large percentage of the items were easily resolved by picking the more accessible of the two Codes.

Only five areas in the entire Code had a conflict where following the California Code would be a violation of the Federal Code or following the Federal Code would be a violation of the California Code. Commissioner Widom made the decision to use the ADA standards as the baseline format and to take the requirements from the California Building Code and align them with the Federal Code.

The Premise

Commissioner Widom's premise was to use the provisions that provided the greatest accessibility and not to make any substantive change to the existing Code at this time. He did not want to reduce or increase anything, but to maintain the same level of accessibility that is in the Code and create clarity. He stated there will be an opportunity to discuss possible changes in the interim period, which is 18 months into the process.

The Seven Emergency Changes to Regulations

In order to address the five regulations that were in conflict, Commissioner Widom asked the California Building Standards Commission (CBSC) for seven emergency changes to regulations:

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- A correction to a mistake that was made in prior years. There was a requirement for accessible seats along the aisle in any auditorium, which, due to typographical error, required 20 to 30 times the amount that was intended.
- The dimension from the faceable wall to the center of a water closet in an accessible toilet.
- Two changes related to the location of the toilet paper dispenser in an accessible toilet.
- Two changes related to the drinking fountain angle of the water and the relationship to the front of the fountain.
- Those people who followed the Code in the last few years and had done exactly what was required were not forced to make a change unless they went into the restrooms on the path of travel. Commissioner Widom explained these changes were very minor dimensional areas, such as 16-18 inches as opposed to 18 inches fixed.

Public Outreach

At this point, the DSA began the process of public outreach. There were seven public outreach forums conducted from May through July 2012 in every DSA city, which included multiple modalities to ensure accessibility and video conferencing between all DSA offices. The DSA gathered public comments and concerns, and then, chapter by chapter, put together a new Code. All public comments have been compiled and analyzed; the DSA is able to locate each comment and whether it was included or conflicted and was shown in another area. The DSA is in the process of drafting the refined language of the Rulemaking Package that will be presented to the CBSC in the beginning of September.

The Result

Commissioner Widom stated the result is an ADA structure of divisions 1-10 of the existing California Building Code Chapter 11(b). It maintains the ADA format and numbering. All of the California Building Code amendments are shown underlined or in italics. Commissioner Widom has maintained this original draft with all of the changes on the DSA website, so that any individual can go right into the Code and see the ADA requirements and see how California has upgraded or lowered those requirements depending upon the particular item. Any changes made in future years can be added to that process.

The Only Change Made

Commissioner Widom noted the only change made was from fixed dimensions to ranges. For example, current Code specifies that signage for accessible parking spaces be in the center of those spaces. This has led to several lawsuits over small discrepancies. The Code is now being changed to a range that will not hamper accessibility but will allow for constructability.

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Another example is the water closet in an accessible space. In current Code, this must be exactly 18 inches from the wall to the center line. Most jurisdictions allow some degree of constructible variance. However, Federal Code did not allow variance over 18 inches.

The DSA decided to adopt the idea of ranges, of variables that the Federal Government and the ADA have adopted. The DSA has gone through the entire Code to find the variables that allow construction to be done appropriately and practically without taking any accessibility away.

The Schedule

Commissioner Widom stated the DSA will submit the Code on September 10th. It will go through a series of advisory Committees that are open to public discussion, to the DSA for any minor changes, out 45 days for more public comment, to the DSA to deliberate on the public comment, to the CBSC for the January meeting that is open to public discussion, into publication on July 1st, and then into effect January 1, 2014.

Commissioner Questions and Discussion

In answer to Commissioner Martinez's question, Commissioner Widom stated, although the DSA has been thoroughly checking for errors, any remaining mistakes will be corrected in 18 months during the interim period. The DSA requests that the CBSC make any minor changes; the DSA will approach the CBSC in the event of an emergency.

Upon learning that certain groups contacted by the DSA never responded, Commissioners Hauge and Martinez offered their assistance in the outreach effort.

In response to Commissioner Navarro's concerns regarding the shift from fixed to ranged dimensions, Commissioner Widom stated the DSA followed the ADA requirements for an appropriate range. Sidewalk repair, however, is the obligation of cities or private parties.

Chair Burks stated, through the efforts of the DSA and Commissioner Widom as the State Architect, a certifiable Code will be achieved that is acceptable to the U.S. Department of Justice, will reduce litigation, and will clear up the confusion and perception that there are two sets of regulations. Commissioner Widom added that, while it may not solve every problem, there will be a single Code for people to access to comprehend what is and is not required.

Public Comment

Commissioner Wolf offered his assistance with the DSA outreach effort. He expressed his concern with slants in sidewalks where there is no driveway, as this affects persons in wheelchairs. Commissioner Widom stated there is no change in the side-to-side limit from the current Code, but assured there is a maximum slope limit.

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Action Item:

- Staff is to send all Commissioners an updated contact list.

**6. GUEST SPEAKER – SAM OVERTON, CHAIR – CITY OF LOS ANGELES
COMMISSION ON DISABILITY**

Sam Overton, the Chair of the City of Los Angeles Commission on Disability, stated his Commission and the DOD, began over thirty years ago, operate synergistically by sharing staff and support. The DOD has lost sixty percent of its budget and employees over the last few years, and much of the efforts of the Commission have been to keep the DOD from being dissolved and thereby making the Commission ineffective.

The city council and the mayor now understand that the DOD and the Commission serve a useful purpose. The Commission brought many issues to the city's attention over the last few years, which the city chose not to address. As a result, several lawsuits have occurred. The city has been sued where it was found to be remiss in providing training and effective ways to address emergency management in persons with disabilities. It also is facing lawsuits over the issue of sidewalk maintenance, with almost 4,800 linear miles of damaged sidewalks.

The city has since added three positions to the DOD, which will help recommence training of DOD managers on their obligations under state and federal law for access compliance and program compliance. Also, the mayor has set up a task force to address what needs to be done. However, the previously-approved Transition Plan cannot be located.

One of the Commission's accomplishments this year was applying for three CORO Foundation Fellows for work on the DOD issues, the Commission issues and the Airport Department. The Airport Department has been one of the most responsive departments for improvement of training on accessibility and dealing with disabled travelers, and also one of the most progressive in making physical changes to their environment. The Commission suggested the Airport Department establish an access advisory Committee, which now meets monthly, and deals with issues such as creating appropriate signage, reviewing terminals for general compliance, and helping the access coordinator at the airport deal with training issues.

Commissioner Overton stated mobile businesses are growing in Los Angeles as a direct result of the economy; many of them are inaccessible despite the law requiring them to provide equal accommodation to people with disabilities. Commissioner Overton welcomed input in setting up a task force to contact mobile business owners to work out voluntary compliance.

Commissioner Overton also shared an out-of-print report, published over twenty years ago, from a Commission that Attorney General John Van de Kamp put together. This report called for the formation of a statewide Commission like the CCDA, although charged more broadly. Chair Burks added that this report has

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historical significance and identifies issues of accessibility in the State of California decades ago. He stated it would be advantageous for this Commission to note some of the parallels to current issues.

Commissioner Questions and Discussion

Commissioner Hauge asked if the small business community is active in these issues. Commissioner Overton stated he has yet to see them attend a meeting, but they are welcome. The Commission has not had much contact with the business community or the organizations that represent them. Commissioner Wolf added that the Small Business Commission has received several invitations to attend meetings; however, they have not chosen to attend. Although Commissioner Wolf has attended several of their meetings and has put in public comment as a fellow Commissioner, they refuse to listen.

Chair Burks stated Commissioners Hauge and Martinez are interested in doing greater outreach, specifically addressing a greater degree of participation and involvement at the small business level. This is a great opportunity to introduce the Los Angeles Basin to two Commissions with a desire to work collaboratively and cooperatively. Commissioner Wolf offered his assistance in this area.

While Commissioner Hauge has been more involved in the San Francisco Commission, he expressed a desire to work with Commissioner Wolf and the Los Angeles Small Business Commission to assist small businesses. He stated the Los Angeles Small Business Commission traditionally focuses on procurement, but hoped that will be expanded.

Public Comment

Mr. Ray clarified that there is a Transition Plan for the year 2000 and the DOD is in the process of developing another one. The DOD is also doing another survey to evaluate program services and facility accessibility.

7. BUDGET

a. Fiscal Year 2012-2013 Budget

Chair Burks stated the Commission budget for fiscal year 2012-2013 is \$407,000, is authorized for three full-time staff members, and is within the General Fund. It was discovered, after meeting with the DOF, legislative staff, and their analyst, that SB 1680 gave this Commission authorization to receive money, but did not give any authorization to spend it. SB 1186 language may change this.

Commissioner Martinez previously asked if the Commission can file a 501(c)(3). Chair Burks stated eligibility has yet to be determined, as there are Federal IRS requirements for 501(c)(3) documentation and Form 990. In California, there are also additional requirements, called Charitable Trust or CT2. The IRS has made clear that this Commission must have their authorization for tax deductibility as a

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public benefit corporation. Commissioner Martinez added that most donors require a Federal Tax I.D. Designation letter before they submit a donation.

Commissioner Wilson offered to send a copy of the document, under the public nonprofit regulation, that will allow this Commission to accept contributions for programs and activities that satisfy certain criteria. Commissioner Navarro suggested then consulting with a nonprofit attorney.

8. DISABLED ACCESS LEGISLATIVE AND REGULATORY DEVELOPMENTS

a. SB 1186 – D. Steinberg/R. Dutton

Vice Chair Dean stated SB 1186 was assigned to a Work Group. There have been substantial proposed changes to the Government Code that controls the scope and deliverables of this Commission. If SB 1186 passes with these changes, it will eliminate several deadlines and deliverables, give the Commission greater flexibility in determining and pursuing goals, and necessitate the reevaluation of the Committee structure.

Commissioner Jakobson-Johnson stated Chair Burks and Vice Chair Dean have been participating in the stakeholder meetings representing this Commission; she has also been participating in these meetings representing her organization, Disability Rights California.

b. AB 2282 – B. Berryhill

Commissioner Jakobson-Johnson stated this bill is dead.

9. FUTURE AGENDA ITEMS

Chair Burks asked Commissioners to send any future agenda items to staff.

10. ADJOURNMENT OF CCDA MEETING

Chair Burks adjourned the meeting at 4:00 p.m.